

## REMARKS

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3 1. The Office Action of January 8, 2005 is hereby acknowledged. This Amendment  
4 Under 37 C.F.R. § 1.111 is being mailed by Express Mail, Mail Label No. EV 312736025 US,  
5 addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450  
6 on February 28, 2005. The shortened statutory period of three (3) months time period for  
7 response to this Office Action expires on April 8, 2005. Therefore, this amendment this  
8 Amendment is timely filed. In the event that the Commissioner for Patents should determine  
9 that any extension of time is required for this Amendment to be timely filed and an appropriate  
10 fee is due for that extension of time, then the Commissioner for Patents is hereby authorized to  
11 charge Deposit Account Number 18-2222 for such appropriate fee.

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13 2. The Patent Examiner's detailed analysis of the '147 Application is acknowledged  
14 with appreciation. The double patenting rejection is understood. Pursuant to the Patent  
15 Examiner's requirements, the Applicant is submitting herewith a Terminal Disclaimer.  
16 Therefore, with this Terminal Disclaimer, the double patenting rejection has been overcome.  
17 Both this present application and Patent 6,678,100 B1 which issued from Application  
18 10/393,548 filed on March 20, 2003 are commonly owned by Pacific Beach, Inc.

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20 3. The original '147 Application had a total of 50 claims wherein 4 were  
21 independent claims. Through this amendment no claims have been added or cancelled.  
22 Therefore, no additional fee is due. The Applicant is submitting a check in the amount of \$65.00  
23 for the Terminal Disclaimer fee. In the event that the Commissioner for Patents should  
24 determine that any additional fee is due, then the Commissioner for Patents is hereby authorized  
25 to charge Deposit Account Number 18-2222 for the appropriate fee.

1 4. Accordingly, it is respectfully submitted that all 50 claims of invention are now  
2 in condition for allowance and issuance of a notice of allowance is respectfully solicited.

3 Respectfully submitted,

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5 Date: Feb 23, 2005

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19 I hereby certify that this correspondence  
is being deposited with the United States  
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addressed to: Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450

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21 Date of Deposit 2/28/05  
Express Mail No. EV 31273602SUS

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23 THOMAS I. ROZSA  
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24 Thomas I. Rozsa 2/28/05  
Signature and Date

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